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JUN 14 2007

Applicants: Paul T. Van Gompel et al. Docket No.: 19,577
Serial No.: 10/750,402 T.C./A.U.: 3761
Confirmation No.: 8997 Examiner: Chapman, Ginger T.
Filed: December 31, 2003 Date: June 14, 2007
For: DUAL-LAYERED DISPOSABLE GARMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION

I hereby certify that the attached correspondence comprising:

Provisional Terminal Disclaimer (2 pages)

3 total pages, including this page

is being transmitted on June 14, 2007 to the United States Patent and Trademark Office via facsimile addressed to Commissioner for Patents, Fax No. 571-273-8300.

Judith M. Anderson

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(Signature of person transmitting correspondence)

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Provisional Terminal Disclaimer

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Present Application

1. Kimberly-Clark Worldwide, Inc., doing business at 401 North Lake Street, Neenah, Wisconsin, 54956, is the assignee of the entire right, title and interest in and to the above-referenced present pending U.S. patent application serial number 10/750,402 filed on December 31, 2003 for "Dual-Layered Disposable Garment".
2. Assignment of the inventors' rights in present patent application serial number 10/750,402 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 014864, Frame 0634.

Copending Commonly Assigned Application

1. Kimberly-Clark Worldwide, Inc. is also the assignee of the entire right, title and interest in and to copending U.S. patent application serial number 10/749,761 filed on December 31, 2003 for "Dual-Layered Disposable Garment Having Tailored Stretch Characteristics".
2. Assignment of the inventors' rights in copending patent application serial number 10/749,761 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 014864, Frame 0574.

Right of Assignee to Prosecute

Kimberly-Clark Worldwide, Inc. certifies:

- (a) that the evidentiary documents have been reviewed; and
- (b) that to the best of Kimberly-Clark Worldwide, Inc.'s knowledge and belief, title of present U.S. patent application serial number 10/750,402 is in Kimberly-Clark Worldwide, Inc..

Provisional Terminal Disclaimer

1. In the event that a patent based upon copending U.S. patent application serial number 10/749,761 issues, Kimberly-Clark Worldwide, Inc. hereby disclaims, except as provided below, the terminal part of

the statutory term of any patent granted on the present U.S. patent application serial number 10/750,402, which would extend beyond the expiration date of the full statutory term, including any applicable term extensions, defined in 35 U.S.C. 154 and 156 for said issuing patent based on U.S. patent application serial number 10/749,761.

2. Kimberly-Clark Worldwide, Inc. hereby agrees that any patent granted upon present U.S. patent application serial number 10/750,402 shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to copending U.S. patent application serial number 10/749,761 and any patent(s) issuing therefrom. This agreement shall run with any patent granted upon present U.S. patent application serial number 10/750,402 and shall be binding upon the Kimberly-Clark Worldwide, Inc., its successors and/or assigns.

Exceptions to Provisional Terminal Disclaimer

In the event that, after the filing of this Terminal Disclaimer, any patent based upon copending U.S. patent application serial number 10/749,761:

- (a) expires for failure to pay a maintenance fee;
- (b) is held unenforceable;
- (c) is found invalid by a court of competent jurisdiction;
- (d) is statutorily disclaimed in whole;
- (e) is terminally disclaimed under 37 C.F.R. 1.321(a);
- (f) has all of its claims canceled in a reexamination certificate; or
- (g) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. 154 prior to the expiration of its full statutory term;

Kimberly-Clark Worldwide, Inc. specifically does not disclaim any terminal part of any patent granted on the present U.S. patent application serial number 10/750,402 prior to the expiration date of the term defined in 35 U.S.C. 154 and 156 including any term extensions as applicable to any patent granted on copending U.S. patent application serial number 10/749,761.

Fee

Pursuant to 37 C.F.R. 1.321(c)(1), please charge the \$130.00 fee due in accordance with 37 C.F.R. 1.20(d) to Kimberly-Clark Worldwide, Inc.'s deposit account number 11-0875.

The undersigned is an attorney of record in the present application having serial no.10/750,402

Respectfully submitted,

KIMBERLY-CLARK WORLDWIDE, INC.

PAUL T. VAN GOMPEL ET AL.

By:



David J. Arteman

Reg. No.

44,512

Date:

June 14, 2007